

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

**In the matter of:**

JOSEPH G. DUMOUCHELLE, and  
MELINDA J. ADDUCCI,  
*Debtor(s)*

Bankruptcy Petition No. 19-54531  
Hon. Lisa S. Gretchko  
Chapter 7

TEODOR GELOV,  
*Plaintiff,*  
v.  
JOSEPH G. DUMOUCHELLE, and  
MELINDA J. ADDUCCI,  
*Defendant(s)*

Adv. Pro. No. 20-04172  
Hon. Lisa S. Gretchko

**DEFENDANT JOE DUMOUCHELLE’S RESPONSE TO  
PLAINTIFF’S DISCOVERY REQUESTS**

**NOW COME** the Defendant, JOSEPH G. DUMOUCHELLE (“Joe”) (together with MELINDA J. ADDUCCI (“Lindy”), collectively “Defendants”), by and through his counsel, JOHN R. FOLEY, P.C., who, in response to the Discovery Requests propounded by the Plaintiff, TEODOR GELOV, hereby states as follows:

**PRIVILEGE / OBJECTIONS**

Joe and Melinda are both the subject of actual or potential criminal proceedings. Joe has actually been prosecuted, but that litigation continues, and therefore, he asserts his Fifth Amendment Privilege in response to all requests

made by Plaintiff herein. Further, with respect to any requests that may call for documents or communication between he and Melinda (his wife), Joe asserts Marital/Spousal Privilege, and with respect to any request that may call for documents or communications between he and his attorney, Joe asserts Attorney-Client Privilege.

Melinda has sought assurances, through her counsel, repeatedly, that she is not being pursued for prosecution. Melinda asserts her Fifth Amendment Privilege, and does not waive the same by answering these requests. Further, with respect to any request that may call for documents or communication between her and Joe (her husband), Melinda asserts Marital/Spousal Privilege, and with respect to any requests that may call for documents or communications between she and her attorney, Melinda asserts Attorney-Client Privilege.

However, in an effort to be responsive, to move this case along, and to show that she did not participate in any fraudulent conduct as alleged, Melinda has provided responsive answers. These responses are provided without waiver of her Fifth Amendment Privilege, her Attorney-Client Privilege, or her Marital/Spousal Privilege. and specific preservation of the same.

## **INTERROGATORIES**

1. Provide the names of all current and prior members and officers (including their titles) of DuMouchelle Jewellers, the date of admission of each member and the term of each officership.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

2. Provide a description of each expenditure, transfer and/or withdrawal made (including the name and address of the recipient, the amount paid to such recipient and the assets received or the liability paid in exchange therefor), utilizing the proceeds received from Plaintiff with respect to the \$1,800,000 Note.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

3. For each of the expenditures, transfers and/or withdrawals identified in your response to Interrogatory No. 2, identify which of Defendants initiated, caused, signed for or otherwise participated in each and which Defendants had contemporaneous and/or after the fact knowledge of each.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

4. As to each of the items of jewelry set forth on Exhibit A to the \$1,800,000 Note, identify: (a) the owner (including name and address) of each item of jewelry on the date the \$1,800,000 Note was executed; (b) the date each item of jewelry was purchased by either of Defendants or its Affiliates and the amount paid; (c) the date each item of jewelry was sold by either of Defendants or its

Affiliates, the amount received and the purchaser of each; and (e) the disposition made of the proceeds received from each item of jewelry sold (including the bank name and account number into which the proceeds were deposited and disbursed).

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

5. Explain the roles each Defendant played in each of the actions set forth in Interrogatory No. 4. and which Defendants had contemporaneous and/or after the fact knowledge of each action.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

6. State who compiled and who typed the list of 16 items attached to the \$1,800,000 Note.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

7. State who compiled the photos contained in the October 31, 2018 email from Joseph DuMouchelle attached to Plaintiff's Amended Complaint and the source of each of the photos.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

8. Identify the current location of all computers and servers used by Defendants or their Affiliates during the years 2016-2022 and if no longer in Defendants' or their Affiliates' possession, the disposition made of each, the date of disposition and the method of disposition.

a. **General Response:** A motion for protective order has been filed regarding this request.

b. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

9. Provide all valid usernames and corresponding passwords to all cloud-based systems used by Defendants or their Affiliates during the years 2016-2022, including QuickBooks, RMC, RFC, and ACT.

a. **General Response:** A motion for protective order has been filed regarding this request.

b. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

10. Identify all documents upon which you will rely upon at the time of trial.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

11. Identify all communications (name of person, whether by email, text or phone and the substance of each communication) between either of Defendants and Plaintiff, related to or touching upon the transactions by and between either of Defendants and Plaintiff, for the period of January 1, 2018 through December 31, 2019, including all correspondence, emails, email attachments, phone discussions and text messages.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

12. Identify all communications (name of person, whether by email, text or phone and the substance of each communication) between either of Defendants and any family members of Defendants (including children, in-laws, sisters, brothers and parents) related to or touching upon the transactions by and between either of Defendants and Plaintiff, for the period of January 1, 2018 through today's date.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

13. Identify the exact location, description and value of all assets of Defendants or their Affiliates and/or of DuMouchelle Jewellers not within the custody of the trustees in Defendants' or DuMouchelle Jewellers bankruptcy cases, in existence as of the date of filing of Defendants' and DuMouchelle Jewellers' bankruptcy proceedings, including all cash, certificates of deposit, jewelry, gems, gemstones, real property, personal property, stocks, bonds, mutual funds, cash, debit cards, crypto currencies, gift cards, and/or other cash equivalents and safety deposit boxes and safes.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

14. Identify the persons funding Defendants' defense of this litigation.

a. **General Response:** A motion for protective order has been filed regarding this request.

b. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

## **REQUESTS TO PRODUCE**

1. Produce the Operating Agreement and all amendments to the same of DuMouchelle Jewellers.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

2. Produce all documents referenced in the “briefcase” of documents Defendant Joseph intended to share with his criminal counsel, but never reviewed, alleged to have existed in the filings may by Joseph in his criminal proceeding.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

3. Produce the signature cards to the Chase Account ending in 0024 held by or for the benefit of either or both Defendants or DuMouchelle Jewellers.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

4. Produce all documents you intend to rely upon at the time of trial.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

5. Produce all communications in Defendant’s possession between Plaintiff and either of Defendants.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

6. Produce all documents referenced or relied upon in preparing your responses to the Interrogatories.

a. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

7. Produce all computers and computer servers utilized or accessed by either of Defendants or their employees during the period 2016-2022, including those owned personally and those of DuMouchelle Jewellers.

a. **General Response:** A motion for protective order has been filed regarding this request.

b. **Joe Response:** Joe asserts his Fifth Amendment Privilege.

Respectfully submitted,  
**JOHN R. FOLEY, P.C.**  
*Counsel for Defendants*

By: /s/Patrick A. Foley  
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**Dated:** March 30, 2023



**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
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**PROOF OF SERVICE**

Patrick A. Foley hereby certifies that on March 30, 2023 he did serve a copy of the foregoing discovery responses, upon counsel for the Plaintiff, TEODOR GELOV by emailing a copy of the same, via the Court's CM/ECF e-Filing System to:

Attorney Jay L. Welford - Email: [jwelford@jaffelaw.com](mailto:jwelford@jaffelaw.com)

Attorney Kim Clayson – Email: [kclayson@taftlaw.com](mailto:kclayson@taftlaw.com), [ttorni@taftlaw.com](mailto:ttorni@taftlaw.com)

Respectfully submitted,  
**JOHN R. FOLEY, P.C.**  
*Counsel for Defendants*

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**Dated:** March 30, 2023